KERN COUNTY

ELECTIONS SECURITY
AND
OBSERVER PLAN

FOR THE

PRESIDENTIAL PRIMARY ELECTION
FEBRUARY 5, 2008

Kern County Election Plan

A. County and Voting System Information

1. Name of county: **KERN COUNTY**

2. Name of contact: **Sandra L. Brockman, Chief Deputy Registrar**

3. Contact's phone: **661-868-3700**

4. Date of plan: **December 28, 2007**

5. Vendor and voting systems used by the county:
   Premier Gems 1.18.24, with AccuVote OS 1.96.6, Accuvote Central Count 2.0.12, and AccuVote TSx 4.6.4

6. Is this your first election using this voting system?
   No

7. Do you have separate systems for early voting, precinct voting, and absentee voting? If so, please list each.
   We do not conduct early voting. Vote by mail voting and poll place voting will be conducted with Accuvote optical scan ballots and all counted at the Elections Office. TSx units will be utilized at the polls upon voter request.

B. Election Communications

An election communications plan addresses the manner in which the county elections official, staff, and poll workers communicate in the course of conducting an election. It also deals with preparing for and resolving situations that may arise on Election Day.

1. In the event of a natural disaster, terrorist attack, electricity blackout, or systemic equipment failure, what procedures are in place to ensure quick and immediate communication with poll workers?
   The site supervisor and one inspector or poll worker at each site are paid to provide cell phones for Election Day communications. These numbers are stored in our system for access by Elections and phone bank staff on Election Day. Additionally these are listed on the "Election Day Deployment Log" in hard copy. This document lists site locations, the precincts located at the site, and their respective site supervisors and inspectors and their contact information before and on Election Day. This log is provided to all Election Day office support staff and the field representatives providing poll site support.

2. Do you have a bank of phones solely designated for poll workers to call and ask questions?

   Yes. We have a 3-tier system help desk solution in place on Election Day, which serves voters and poll workers.

   Tier 1 – Phone Bank
   Initial calls route through our phone bank. The majority of calls are resolved through this first tier. It is staffed by a mix of temporary and permanent staff. Temporary employees are provided training to answer basic voter and poll worker questions as well as to escalate the call to the appropriate tier two unit.

   Tier 2 – Triage and Technical Support
   Tier 2 is comprised of two units: triage and technical support.
   - **Technical Support unit receives all equipment related calls. This unit will walk poll workers through any equipment related issues. If they are unable to resolve the issue by phone, they will deploy the field representative to the site to resolve the issue or replace the equipment.**
   - **The triage room receives all calls requiring assistance beyond that provided by the phone bank and technical staff. Additionally, triage receives all field representative calls. Triage also receives status calls after field representatives have made their rounds.**

   Tier 3 – Management
   Tier 3 is forwarded calls that require Registrar or Chief Deputy Registrar response. These are high level issues or issues requiring media response or contact.

3. What is the percentage of polling places that have public telephone access?

   Unknown. There are accessible landlines at all of our facilities that if needed may be utilized by poll workers. However, our primary plan for contact is through cell phone.

4. Are the phones close enough for poll workers to use to contact the county elections office, if necessary?

   Yes in most cases.

5. Are poll workers in those locations provided information on calling collect, or are they provided adequate change or a calling card to pay for the phone calls?

   The Elections Office has a toll free 800 number that is on the front of the poll worker manual.

6. What about locations without convenient pay phones?

   Our poll workers are instructed to use their cell phones and receive additional pay for doing so.

7. Do you record the cell phone and/or pager numbers of poll workers? If so, do you inform them to keep them turned on in case they need to be contacted? Are they reminded to charge the phones before Election Day?

   Yes to all three questions

8. Do you provide a convenient sheet with contact information to poll workers?

   Yes the number is provided on the Poll Worker Instruction manual cover and at multiple points throughout the manual. Workers are provided with a copy of the manual at each class they attend as well as in their supply bags. There are also telephone cards on the table listing the number.

9. If no poll worker at a polling place has a cell phone or pager, do you issue one to the precinct captain?

   We pay multiple poll workers at each site to provide their cell phone for Election Day use to ensure redundant coverage. We have never had at least one person on a precinct board that did not have a cell phone and are willing to use it.

10. How extensive is your system of troubleshooters or rovers on Election Day?

    Prior to each election each Field Representative is fully trained on the opening, voting, closing and basic trouble shooting procedures of the touchscreen, and served as a poll worker or Inspector at least once, which means they have been through our clerk and Inspector training. They are trained on equipment set up and closing procedures and basic troubleshooting. Post election meetings are held with this team and the election staff to discuss the election, any issues that may have occurred on Election Day and possible improvements for subsequent elections.

11. What is the ratio of troubleshooters/rovers to polling places?

    The average is 3 to1 in the outlying areas. Within Bakersfield, the average is 10 to 1. In the event further assistance is required within the city, we have additional staff at the office that is deployed.

12. How often are they supposed to check in with each assigned polling place?

    They are to visit each site before the polls open, as many times as possible during the day and prior to closing. Our outlying areas are often quite a distance apart and not the best of roads (curvy, etc). They manage to make it at least 3 times a day.

13. How often are they supposed to check in with the county elections office?
    They are to check in when all sites have opened/closed and any time there is an issue to report.

14. If a systemic problem with equipment were to occur, how would poll workers be notified about the way to handle the problem?

    The Chief Deputy assigns certain Tier 1 and Election Staff to staff split the site list and contact the site supervisor at every site. She provides her staff with

the issue at hand and the solution. It is one of the responsibilities of the Site Supervisor to further disseminate the information to individual precinct inspector at his/her site.

Simultaneously the Chief Deputy assigns Tier 2 staff to split the list of field representatives and contact them. Field reps are advised of the issue and the solution, then directed to visit each site to confirm that the message was received, understood and if necessary help implement.

B. Physical Security

Physical security addresses how secure voting equipment, ballots, and the tabulation process are from external factors such as tampering, environmental degradation (such as from jostling, heat, water damage, etc.), unauthorized access, etc.

I. Pre-Election

1. What procedures do you have in place to assure the physical security of voting machines and paper ballots prior to an election?

   Our touchscreens are stored behind locked doors in our main election office with limited key access. We have security cameras installed, which are on 24 hours a day and monitored by building security.

   Our ballots are maintained in this same monitored area behind locked doors in a separate locked vault.

   The ballot tabulation system is maintained in a separate locked room with access limited to necessary personnel only. This room also has cameras monitored by building security. Anyone entering the room must sign in and log the date/time of entry/exit and the purpose.

2. How and where are equipment and ballots stored, and how is the facility secured against theft, tampering and vandalism?

   How it's stored:
   - ❖ **We have a Kompakt Storage System designed for our touchscreens. Our touchscreens are stored on movable rows of shelving**
   - ❖ **Ballots are stored on shelves in the ballot vault.**

   Where it's stored:
   - ❖ **In the back room of the Elections Office. See answer to #1 above.**

   Security:
   External building doors are locked with limited key and coded access. Internal doors to equipment and ballot vault areas remain locked when not in use with different locks. Access keys are given to only necessary personnel. Security personnel monitor the building during business hours. Cameras are operating 24 hours a day, seven days a week.

3. What protections are in place to assure access is permitted only for authorized personnel?

Keypad entry codes at entry doors, pass code only given to personnel. The pass code is changed anytime there is a change in employment. All permanent and extra help personnel are required to where a picture I.D. and temp staff are required to where a badge and sign in and out each time they leave and re-enter. They are not given a pass code but must show I.D. to the counter staff person.

4. When software upgrades are installed, what effort is taken to assure that the upgrades is state certified? Are the software versions verified?

   Software and firmware upgrades are loaded only from trusted build files or rom chips delivered to the County from the office of the Secretary of State.

5. Does a county employee or a vendor employee install the upgrades?

   County employees only.

6. Do vendor employees ever handle any voting equipment?

   If an optical scanner requires servicing beyond minimal maintenance, it is shipped to the vendor. We conduct acceptance/diagnostic testing upon the unit's return. In the future we will remove the trusted build Rom chips received from the state prior to shipping and reload them upon return and prior to testing.

7. If vendor employees are allowed to handle voting equipment before the election, must county employees be present?

   N/A - only County employees handle our election equipment.

II. Poll workers and the Transportation of Equipment

1. Do you require poll workers to complete a detailed application form?

   Poll workers complete a basic application indicating their contact information, voter registration status and languages spoken.

2. Do you conduct any type of background check on poll workers? If so, what type of check do you conduct and who performs it?

   No.

3. Are voting equipment components and/or ballots transported to polling places by county employees or poll workers?

   Equipment: Touchscreen units with all necessary tamper evident seals are placed into transport bags, which are sealed with serialized seals and cable locked to a cart. (The key to unlock the cart is sealed in the supply bag for the site supervisor.) The chain of custody is signed over to the trucking firm when picked up for delivery during the final week prior to the election. There is two trucking company staff present with each delivery load. Pick-ups and deliveries are made on the same day and chain of custody is signed over to the appropriate staff person at the poll site who secures it in a locked closet or

room. The trucking companies return the chain of custody papers to the Elections Office.

Ballots: Ballots are issued to the precinct inspector in a sealed box with a receipt indicating the number of ballots issued to the precinct. The inspector verifies that the correct number of ballots was received and signs one half of the receipt, which is retained by election staff issuing ballots/supplies. The ballots are resealed and delivered to the site by the inspector.

4. How are voting equipment components and/or ballots transported to the polling places?

   See answer at #3.

5. When are voting equipment components and/or ballots transported to the polling place?

   Ballots begin issuing to poll workers at E-10. Equipment deliveries begin the week prior to the election.

6. If poll workers transport voting equipment and/or ballots, when do they receive the equipment/ballots? If significantly in advance of the election, how and where were they stored until the election? Are tamper-proof seals utilized for this purpose?

   See answers 3 & 5.

7. Does your county keep detailed logs of who takes custody of which equipment/ballots, and their contact information (Note: some voting system certifications now require chain of custody logs)?

   Our system requires a chain of custody log, which is maintained at all times.

8. How are voting equipment components and/or ballots secured from tampering from the time they leave county custody to the time they are delivered to the polling places?

   See answer at #3.

9. Are serialized or other secure tamper-proof devices/seals placed on all ports where memory cards are inserted (as specified in the procedures adopted for use of voting equipment in California)?

   Yes.

10. How are your poll workers, as part of their training, trained to be alert for signs of pre-election tampering?

It is part of the hands-on training received by every poll worker. There is also an instructional sheet enclosed with the Site Security Checklist Packet, which must be completed for every site. This sheet has pictorial instructions to illustrate what tampering looks like along with instructions in the event tampering is detected. The manual also provides information on what to do if tampering is detected.

11. How are your poll workers, as part of their training, trained to be alert for the type of activity indicating someone is potentially tampering with a DRE or with any access card or access code on Election Day?

All poll workers are trained on the correct voter process for voting on the touch screen. Site Supervisors are given the responsibility of ensuring the security of the voting equipment and assigning as many poll workers needed to monitor and report any suspicious activity. In class we talk about ways a person may try to breach to the security of the system. They also check to assure the seals have not been tampered with throughout the day.

12. How are your poll workers trained about how to respond if tampering is suspected or discovered?

Poll workers are instructed to stop all opening procedures and contact the elections office immediately if a seal is broken on a touchscreen or ballot box. They are trained to have 4 poll workers witness the break. They are instructed to then log the event on the incident form provided. In the event that tampering is suspected during the day they are instructed to suspend voting on the affected piece of equipment and to contact the elections office immediately for further instructions.

13. Do poll workers log instances of suspected tampering? If so, where is this logged? How does the county respond to these reports?

The site security checklist is the vehicle for verifying that the equipment has not been tampered with or accessed by anyone since sealed by election staff. In the event that any seals are broken or tampered with, poll workers are directed not to allow any voting to occur on the equipment and to contact the Elections Office. Voters with special needs, who would otherwise use the touchscreen, are to be offered the opportunity to vote on paper with assistance, wait or return when a replacement unit is received. In the event this has occurred when there are already votes cast on it the unit is to be sealed and the elections office will investigate and conduct a full manual audit of the votes cast during the canvass.

15. Do poll workers log instances of any anomaly with the voting system? If so, where is this logged? How does the county respond to these reports?

In the past the poll workers provide us notes of any issues, as well as verbal reports to the field reps that provide more complete written information. Beginning this election, we are instituting the "Equipment Incident Report". In response to reports, audit logs are reviewed and equipment tested. We have

also conducted interviews with poll workers and voters to clarify circumstances reported.

16. How are your poll workers trained should a piece of equipment not be usable because of a security requirement (i.e. wrong password)?

    Poll workers are instructed to contact the Elections Office immediately should any piece of equipment become unusable for ANY reason. They are also instructed that "Voting Never Stops". The only equipment we will have at the polls is the TSx. In the event that it becomes unusable, the voter is to be offered three options:
    1. **paper ballot with or without assistance**
    2. **await the arrival of a replacement unit or**
    3. **to return at a later time when one is available.**

III. Election Day

1. If your county uses a DRE system which utilizes a "Smart Card" to activate voting, are poll workers trained to only issue a card to a voter once a voting station is available?

    Yes.
3. Are poll workers trained to ensure that if lines of voters form at the polling place, that the line forms at the registration table and not at the voting stations?

    Yes.

4. Do county "troubleshooters," "rovers" or other election assistants circulating to polling places on Election Day survey each polling site for any evidence of tampering or attempted intrusion into voting equipment?

    Yes

IV. Post-Election

1. During transportation of election materials to the central count or remote count locations, are all paper ballots and electronic election media in the possession of at least two election officials/poll workers?

    Yes.

2. How does your office ensure the protection of the election tabulation process by securing the premises where the vote tabulation is being conducted and not allowing unauthorized and unescorted personnel to be in contact with tabulation equipment?

    The vote tabulation room is a locked room with a large window to allow observers to view the process. Only authorized personnel have access to the room. Observers are signed in, provided with a copy of the observer rules and escorted to the observer area, which affords them a view of all election related activities.

3. What physical security measures have you implemented for the room containing the computer running the tabulation software?

The ballot tabulation system is maintained in a separate locked room with access limited to necessary personnel only. This room has cameras monitored by building security. Anyone entering the room must sign in and log the date/time of entry/exit and the purpose.

4. Are printed results tapes and a back-up copy of the tabulation placed in locked storage in a secure location after tabulation?

   Yes.

4. If so, how long do they remain there?

   22 months at minimum. Longer if there are any pending actions related to the election.

5. On election night, during or following tabulation, are all of the event logs, ballot images and summary totals from each cartridge used in the election backed up to the tabulation database?

   Ballot images and summary totals are uploaded with the memory cards. With our system, the audit logs from the individual memory cards are not uploaded. They are however, printed and maintained with the official election record before it is stored.

7. Are audit logs of every action and operation on any voting equipment or software maintained and retained until the period for contesting the election has expired?

   Yes.

8. How do you ensure that the server is physically secure from tampering? Is it isolated from any other system?

   The server is maintained in a separate locked room with access limited to necessary personnel only. This room has cameras monitored by building security. Anyone entering the room must sign in and log the date/time of entry/exit and the purpose. Additionally, the front panel to the server is locked to prevent access to electronic media drives. The system is stand-alone and the air gap model is utilized.

V. Other

1. Has your office ever utilized a third party to evaluate the physical security of your facility, the procedures utilized to secure equipment and ballots before, during and after an election, or the training of poll workers or staff regarding potential breaches of physical security? If so, when and by whom?

   Yes. The County Head of Security, Roy Burgess, evaluated our office security of equipment and provided suggestions to improve our security. (Officer Burgess has extensive background in evaluating facility security.) Due to his

recommendations we have installed cameras in our ballot counting room, absentee area, and common area that are monitored by the security staff. A company called Secure Systems also evaluated us. Due to their recommendation, we are in the process of contracting for a key card access on the ballot counting room, absentee area, and ballot vault,.

2. Is there any other information you can provide regarding the physical security of your ballots, voting equipment, server, and facilities?

   All of our equipment is maintained behind locked doors within our office. Only authorized staff has access to the equipment and are fully visible to other staff and security cameras while accessing it.

3. Is there any other information you can provide regarding the training of your poll workers and election staff about physical security of ballots and equipment?

   In the absentee ballot area and touchscreen area, no person is allowed to work alone. For lunches and breaks they all go at the same time and the doors are locked behind them. They all re-enter at the same time.

4. What type of tamper-proof seals do you use? On what parts of the voting system are these seals used? Are they recorded on log sheets?

   We use the blue Rifkin tamper evident serialized seals on the ports of the Accuvote TSx unit. We use a serialized plastic twist-and-break seal on the zipper tabs on the transport bag in which the unit is encased for delivery. All seal numbers are listed on the Security checklist provided to the poll workers.

KERN COUNTY ELECTIONS OFFICE
ELECTION NIGHT OBSERVER INSTRUCTIONS

(Pursuant to California Elections Code Section 15104, 15204)

Interested parties may observe that the Election Official is following proper procedures. The Election Official shall determine the number of observers and establish a reasonable observation distance for observers.

1) All observers must report and sign in/sign out at the Elections Office Counter.

2) An observer badge will be issued and must be worn at all times and returned at the end of the night when leaving.

3) In order to comply with security procedures a staff member will escort the observer to the viewing area. Observers are not permitted to wander around the Elections Office.

4) The individual's function is to observe that procedures are followed. Observers cannot assist in operations, touch or handle any ballots or other election-related materials.

5) No observer shall interfere with the orderly process of the count.

6) All questions concerning a procedure should be directed to the Chief Deputy Registrar or Supervisor in charge and not directly to employees.

Auditor-Controller-County Clerk – Ann K. Barnett
Chief Deputy Registrar – Sandra L. Brockman

(Pursuant to California Elections Code Section 15104, 15204)

Interested parties may observe that the Election Official is following proper procedures. The Election Official shall determine the number of observers and establish a reasonable observation distance for observers.

7) All observers must report and sign in/sign out daily at the Elections Office Counter.

8) A canvass observer badge will be issued and must be worn at all times and returned at the end of the day when leaving.

9) A staff member will escort the canvass observer to the viewing area. Canvass observers are not permitted to wander around the Elections Office.

10) No eating or drinking is allowed in the canvass work areas.

11) Radios, cameras and tape recorders are not allowed. Pagers and cellular phones must be set to vibrate or off mode while observing the canvass. Public telephones are located in the first floor lobby next to the security desk.

12) The individual's function is to observe that procedures are followed. Observers cannot assist in operations, touch or handle any ballots or other election-related materials.

13) No observer shall interfere with the orderly process of the canvass.

14) All questions concerning a procedure should be directed to the Chief Deputy Registrar or Supervisor in charge and not directly to employees.

15) No more than two (2) observers are allowed to stand over an employee. Observers should avoid physical contact with employees.

16) Except to challenge a canvass procedure, observers shall not carry on conversations with each other or election personnel or make disruptive comments while in the observation or canvass work areas. The Elections clerk will put any challenged ballot in the Supervisor box for research. The Supervisor will report the challenge to the Chief Deputy Registrar.

17) Observers are to hold discussions and conversations outside the designated Canvass work areas.

18) Observers will be allowed into the Canvass work areas only when employees are performing canvass operations.

19) Observers shall not enter inside the area where the counting of ballots takes place; they may observe thru the glass window outside the ballot counting room.

20) Operations will continue as scheduled whether or not an observer is present.

21) Any observe who fails to follow instructions or causes a disturbance will be asked to leave the office or be escorted out by security.

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